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August 24, 2011

Via Email and U.S. Mail

Ms. Wanda Calderon (Calderon.wanda@epa.gov)
US EPA - Region 2 - FOIA Office,
290 Broadway, 26th floor
New York, NY 10007-1866

Dear Ms. Calderon:

I am writing to request, pursuant to the Freedom of Information Act, 5 U.S.C. § 552 and applicable Environmental Protection Agency ("EPA") regulations at 40 C.F.R. § 2.100-2.406, an appointment to inspect, and potentially copy, all records in the possession or control of the Environmental Protection Agency that relate to the environmental impact of placement of coal ash residue from the AES power plant in Guayama, Puerto Rico on land in Puerto Rico. The records sought by this request include analyses of the chemical and radiological constituents of the ash, assessments or discussions of the potential environmental and health risks posed by the ash, inspections of ash placements, permits granted to allow ash placement, specific locations where ash has been placed, and the volumes of ash that have been placed.

By records, I mean all recordings of information regardless of whether they are records under 44 U.S.C. § 3301, including but not limited to, correspondence, reports, minutes of meetings, memoranda, notes, emails, notices, charts, tables, presentations, orders, filings, electronic files, photographs, and videos.

If for any reason, any portion of this request is denied, please inform me of the reasons for the denial in writing and provide the name and address of the persons or body to whom an appeal should be directed.

Please advise me if the costs for production of these records are likely to exceed \$300. I can be reached at 202 630 5708 or via e-mail at rwebster@publicjustice.net. I would appreciate a response to this request as soon as possible, and look forward to hearing from you shortly. Thank you for your attention to this matter.

Sincerely,

Richard Webster, Esq.

NATIONAL HEADQUARTERS
1825 K Street NW, Suite 200
Washington, DC 20006
202 797-8600 FAX 202 232-7703

WEST COAST OFFICE
555 Twelfth Street, Suite 1620
Oakland, CA 94612-3616
510 622-8156 FAX 510 622-8155

WEB SITE
www.publicjustice.net

*CPD
Commercial Fee
2 fold-1368-11
Please inform me if this does
not belong to CEA; the
cc.*

Please be advised that in accordance with the EPA's revised FOIA regulations (40 CFR 2.100, et. seq.), effective November 5, 2002, the Agency's fees for processing requests have changed. Types of requester categories are:

- Commercial fee requesters are charged for search and review time plus pages copied
- Other fee category requesters are allowed 2 hours of FREE search time as well as the first 100 pages of duplication; no review time will be charged
- Educational fee category requesters will only be charged for duplication of pages minus the first 100 pages; no search and/or review time will be charged
- Media fee category requesters will be charged only for duplication minus the first 100 pages

Calculations to determine fees for above should be based on below schedule if the following EPA employees perform the work:

- Clerical staff time billed at \$4.00 per 15 minutes of search and/or review
- Professional staff time billed at 7.00 per 15 minutes of search and/or review
- Managers' time billed at \$10.25 per 15 minutes of search and/or review
- No fee will be charged for services at or below \$14.00
- Assurance of payment of fees above \$25.00 will be obtained from the requester before commencing any work
- Advance payment of fees above \$250 may be required by the Agency before commencing any work
- Fifteen cents per page copied
- ALL billing commences at \$14.01 unless a fee waiver is granted
- If after performing calculations, work doesn't rise to the \$14.01, threshold, then there will be no invoice